

In the High Court of Judicature at Madras

Dated : 08.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal Nos.1111 to 1113 of 2009

The Commissioner of Income Tax,
Chennai ...Appellant

Vs

M/s.K.R.Sundararajan Educational
Trust, C/O the Indian Institute of
Engineering Technology, Chennai-24. ...Respondent

APPEALS under Section 260A of the Income Tax Act, 1961 against the common order dated 04.1.2008 in ITA Nos.1749, 1750 and 512/Mds/2007 on the file of the Income Tax Appellate Tribunal Chennai 'B' Bench respectively for the assessment years from 1999-2000, 2000-01 and 1998-99.

For Appellant : Mr.Karthik Ranganathan

For Respondent : Mr.R.Venkata Narayanan for
M/s.Subbaroya Aiyer Padmanabhan

COMMON JUDGMENT

(Judgment was delivered by T.S.SIVAGNANAM,J)

Heard the learned counsel for the appellant.

2. These appeals by the Revenue challenge the common order passed by the Income Tax Appellate Tribunal, which decided the issue in favour of the assessee.

(2)

T.S.SIVAGNANAM,J

AND

V.BHAVANI SUBBAROYAN,J

RS

3. The Revenue seeks to withdraw the appeals on account of low tax effect in terms of Circular No.3 of 2018 dated 11.7.2018 issued by the Central Board of Direct Taxes.

4. In the light of the above, the appeals are dismissed as withdrawn and the substantial questions of law framed are left open. In the event, in each of the cases, the tax effect is above the threshold limit fixed in the said circular, liberty is granted to the Revenue to make a mention to this Court to restore the appeals to be heard and decided on merits. No costs.

(T.S.S.J.) (V.B.S.J.)

08.10.2018

Speaking (or) Non Speaking Order

Index : Yes (or) No

Internet : Yes (or) No

To

The Income Tax Appellate Tribunal, Chennai 'B' Bench.

TCA.Nos.1111 to 1113 of 2009